

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DEAN SIOKAS

Plaintiff,

-against-

ORDER ADOPTING R&R
21-CV-236(DRH)(SIL)

IRONSTONE CAPITAL HOLDINGS LLC
doing business as IRONSTONE SUPPLIES
and ERIC IRONS, ESQ.,

Defendants.
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Presently before the Court is the Report and Recommendation, dated January 11, 2022 ("R&R") of Magistrate Judge Steven I. Locke recommending that (1) Defendants' motion for judgment on the pleadings as to Plaintiff's second cause of action be granted in part and denied in part; (2) Plaintiff's motion to strike certain arguments first raised in Defendants' reply memorandum in support of their motion be denied in its entirety; and (3) Plaintiff's second cause of action be dismissed without prejudice and with leave to replead. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the January 11, 2022 Report and Recommendation of Judge Locke as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that Defendants' motion for judgment on the pleadings as to Plaintiff's second cause of action is granted to the extent that the second cause of action is dismissed with leave to replead within twenty (20) days of the date hereof and Plaintiff's motion to strike is denied.

Dated: Central Islip, New York
January 26, 2022

s/ Denis R. Hurley
Denis R. Hurley
United States District Judge